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| 09/990,605      | 11/20/2001  | Scott Montgomery     | 268/261             | 3869             |

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EXAMINER

ABDI, KAMBIZ

ART UNIT PAPER NUMBER

3621

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/990,605

**Applicant(s)**

MONTGOMERY ET AL.

**Examiner**

Kambiz Abdi

**Art Unit**

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 and 64-90 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 and 64-90 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20 January 2001</u> . | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 3621

### DETAILED ACTION

1. Claims 1-45 and 64-90 have been considered.

- Claims 91-155 were canceled.
- No claims amended.
- No claims added.
- Claims 1-45 and 64-90 are pending.

Acknowledgement is made of the cancellation of the claims 91-155, which was referenced in the restriction by the examiner. It has been an oversight by the examiner that is corrected here.

### *Election/Restrictions*

2. Acknowledgment is made that claims 46-63 were withdrawn from further consideration. Election was made **without** traverse in the reply filed on 22 February 2005.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-45 and 64-90 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,005,945 to Harry T. Whitehouse.

5. As per claims 1 and 30, Whitehouse clearly teaches a method of providing a unique postage indicium for use in a postal system, comprising:

- generating a unique postage indicium having a character string that is unique within the postal system (See Whitehouse column 2, lines 1-52);

Art Unit: 3621

- deriving a digital signature from the unique character string (See Whitehouse column 13, lines 15-65 and column 14, line 66- column 15, line 17); and
- associating the digital signature with the unique postage indicium to generate a self-validating unique postage indicium (See White house column 13, lines 15-65 and column 17, line 60- column 18, line 11).

6. As per claims 2, Whitehouse clearly teaches the method of claims 1, further the unique character string comprises a tracking ID (See Whitehouse column 2, lines 43-52).

7. As per claim 3, Whitehouse clearly teaches the method of claim 1, further the digital signature association comprises attaching the digital signature to the unique postage indicium (See Whitehouse column 6, lines 30-45, column 7, lines 6-12, and column 13, lines 40-60).

8. As per claim 4, Whitehouse clearly teaches the method of claim 1, further comprising applying the self-validating unique postage indicium to a mail piece (See Whitehouse column 14, line 66- column 15, lines 17).

9. As per claim 5, Whitehouse clearly teaches the method of claim 1, further comprising applying the self-validating unique postage indicium to a mail piece in a barcode format (See Whitehouse column 13, lines 55-59).

10. As per claim 6, Whitehouse clearly teaches the method of claim 4, further the mail piece is a package (See Whitehouse column 24, lines 39-44).

Art Unit: 3621

11. As per claim 7, Whitehouse clearly teaches the method of claim 4, further the mail piece is an envelope (See Whitehouse column 9, lines 24-27).

12. As per claim 8, Whitehouse clearly teaches the method of claim 4, further the unique character string is also applied to the mail piece independently of the self-validating unique postage indicium (See Whitehouse figure 2, column 15, lines 34-43, and column 26, lines 49-55).

13. As per claim 9, Whitehouse clearly teaches the method of claim 1, further the digital signature is generated by applying a private key to the unique postage indicium (See Whitehouse column 13, lines 37-65).

14. As per claim 10, Whitehouse clearly teaches the method of claim 1, further the unique character string originates from a single database within the postal system (See Whitehouse column 13, lines 19-55).

15. As per claim 11, Whitehouse clearly teaches the method of claim 1, further the postal system is the United States Postal Service (See Whitehouse column 6, lines 1-18).

16. As per claim 12, Whitehouse clearly teaches the method of claim 1, further the unique postage indicium further has one or more items selected from the group consisting of an indicia version number, algorithm identification, certificate serial number, device identification, ascending register, postage, date of mailing, originating zip code, software identification, descending register, and rate category (See Whitehouse column 13, lines 19-46).

17. As per claim 13, Whitehouse clearly teaches a method of detecting postal fraud in a postal system, comprising:

Art Unit: 3621

- receiving a plurality of mail pieces within the postal system (See Whitehouse figure 8, column 21, line 48- column 23, line 7),
- each carrying a self-validating postage indicium containing a postage indicium having a character string (See Whitehouse figure 8, column 2, lines 43-52, and column 21, line 48- column 23, line 7), and
- containing a digital signature derived from the character string (See Whitehouse figure 8, column 2, lines 43-52, and column 21, line 48- column 23, line 7);
- reading each self-validating postage indicium to obtain the postage indicium and digital signature (See Whitehouse figure 8, column 2, lines 43-52, and column 21, line 48- column 23, line 7);
- validating each postage indicium by determining if the digital signature is consistent with the character string; and
- comparing all of the character strings obtained from the postage indicia (See Whitehouse figure 8, column 2, lines 43-52, column 3, lines 3-7, and column 21, line 48- column 23, line 7).

18. As per claim 14, claim contains the same limitations as claim 2; therefore the same rejection is applied as above.

19. As per claim 15, claim contains the same limitations as claim 5; therefore the same rejection is applied as above.

20. As per claim 16, claim contains the same limitations as claim 9; therefore the same rejection is applied as above.

21. As per claim 17, claim contains the same limitations as claim 10; therefore the same rejection is applied as above.

Art Unit: 3621

22. As per claim 18, claim contains the same limitations as claim 11; therefore the same rejection is applied as above.

23. As per claim 19, Whitehouse clearly teaches the method of claim 13, Whitehouse clearly teaches postal fraud is determined if two of the character strings match (See Whitehouse figure 8, column 2, lines 43-52, column 3, lines 3-7, and column 21, line 48- column 23, line 7).

24. As per claim 20, claim contains the same limitations as claim 12; therefore the same rejection is applied as above.

25. As per claim 21, claim contains the same limitations as claims 13 and 8; therefore the same rejection is applied as above.

26. As per claim 22, claim contains the same limitations as claim 2; therefore the same rejection is applied as above.

27. As per claim 23, claim contains the same limitations as claim 5; therefore the same rejection is applied as above.

28. As per claim 24, claim contains the same limitations as claim 9; therefore the same rejection is applied as above.

29. As per claim 25, claim contains the same limitations as claim 11; therefore the same rejection is applied as above.

30. As per claim 26, claim contains the same limitations as claim 19; therefore the same rejection is applied as above.

Art Unit: 3621

31. As per claim 27, claim contains the same limitations as claim 19; therefore the same rejection is applied as above.

32. As per claim 28, Whitehouse clearly teaches the method of claim 27, further postal fraud is determined if two of the character strings match (See Whitehouse column 2, lines 16-22 and column 3, lines 3-7).

33. As per claim 29, claim contains the same limitations as claim 12; therefore the same rejection is applied as above.

34. As per claim 31, Whitehouse clearly teaches the method of claim 30, further the steps are performed in a centralized postage-issuing computer system (See Whitehouse column 6, lines 20-30).

35. As per claim 32, Whitehouse clearly teaches the method of claim 31, further receiving a plurality of postage indicium requests at the centralized postage-issuing computer system from a plurality of end user computers; and transmitting the plurality of self-validating unique postage indicia from the centralized postage-issuing computer system to the plurality of end user computers (See Whitehouse column 6, lines 30-65).

36. As per claim 33, Whitehouse clearly teaches the method of claim 32, further each of the plurality of postage indicium requests is embodied in a single data stream (See Whitehouse column 26, lines 49-55)

37. As per claim 34, Whitehouse clearly teaches the method of claim 32, further receiving the plurality of unique character strings at the centralized postage-issuing computer system from a master tracking computer system (See Whitehouse column 21, lines 11-47).



Art Unit: 3621

38. As per claim 35, Whitehouse clearly teaches the method of claim 32, further receiving the plurality of unique character strings at the centralized postage-issuing computer system from the plurality of end user computers (See Whitehouse column 26, lines 39-55).

39. As per claim 36, Whitehouse clearly teaches the method of claim 30, further all of the steps are performed in a plurality of end user computers (See Whitehouse column 6, lines 30-65).

40. As per claim 37, claim contains the same limitations as claim 2; therefore the same rejection is applied as above.

41. As per claim 38, claim contains the same limitations as claim 3; therefore the same rejection is applied as above.

42. As per claim 39, claim contains the same limitations as claim 4; therefore the same rejection is applied as above.

43. As per claim 40, claim contains the same limitations as claim 5; therefore the same rejection is applied as above.

44. As per claim 41, claim contains the same limitations as claim 6; therefore the same rejection is applied as above.

45. As per claim 42, claim contains the same limitations as claim 7; therefore the same rejection is applied as above.

Art Unit: 3621

46. As per claim 43, claim contains the same limitations as claim 9; therefore the same rejection is applied as above.

47. As per claim 44, claim contains the same limitations as claim 11; therefore the same rejection is applied as above.

48. As per claim 45, claim contains the same limitations as claim 12; therefore the same rejection is applied as above.

49. As per system claims 64-90, all the claims are substantially claiming the same limitations as claims 1-45 above, therefore, the rejections provided above applies to the current limitations of claims 64-90.

50. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

#### ***Conclusion***

51. Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to **Kambiz Abdi** whose telephone number is **(571) 272-6702**. The Examiner can normally be reached on Monday-Friday,

Art Unit: 3621

9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **(571) 272-6712**.

52. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see

**<http://portal.uspto.gov/external/portal/pair>**

53. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

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or faxed to:

**(703) 305-7687** [Official communications; including After Final communications labeled "Box AF"]

**(703) 308-1396** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Examiner in the

**Knox Building, 50 Dulany St. Alexandria, VA.**

**Kambiz Abdi**  
Examiner

  
**April 28, 2005**